

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MARCUS EASTERLY,)	CASE NO. 5:07 CV 725
)	
Petitioner,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
DAVID BOBBY,)	<u>AND ORDER</u>
)	
Respondent.)	

On March 13, 2007, petitioner pro se Marcus Easterly filed the above-captioned habeas corpus action. Easterly is incarcerated in an Ohio penal institution on the basis of a parole violation. He asserts his incarceration violates Ohio law. For the reasons stated below, the petition is denied and this action is dismissed.

A federal district court may entertain a petition for a writ of habeas corpus by a person in state custody only on the ground that the custody violates the Constitution or laws of the United States. Furthermore, the petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254.

The issue of whether or not Easterly's confinement is inconsistent with Ohio parole statutes is an issue of state law.

It is not the province of this court to reexamine state-court determinations on state-law questions. Estelle v. McGuire, 502 U.S. 62, 67-68 (1991).

Accordingly, the petition is denied and this action is dismissed pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed.R.App.P. 22(b).

IT IS SO ORDERED.

S/Peter C. Economus - 5/2/07
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE